

conglomerate in the world. In fact, the CEO of Enron has personally, personally, over the years, given George Bush \$2 million to run for office, and has personally chosen the two new appointees to the Federal Energy Regulatory Commission to make certain that his interests are protected. And he is the only person that Vice President DICK CHENEY could name when he said he had been meeting with lots of people, lots of people, outside of certain special interests. In fact, he mentioned Ken Lay, Enron. Of course, he does happen to be the head of the largest energy conglomerate in the world, and they are profiting well.

But let us get back to Reliant for a moment. Here is what came out in the paper. They are cycling their plants up and down, destroying the plants, in fact, causing additional maintenance and long-term outages and long-term deterioration to game the market in 10-minute increments. They have a direct phone line from Houston, Texas, to their plant operators in California. And the guys in Texas are not looking to see whether the lights are on or off or the people need the juice or the businesses need the electricity. They are looking to see what the price is. And when the price starts to go down, they call the plant and they say, shut it down. They shut down. They watch, they watch, and 10 minutes later, if the price starts to go up, crank it up, we can make more money. This is the future.

I thought that the key for electricity was reliability, affordability and service. We were promised that deregulation would be more reliable, more affordable with better service. And instead we find that deregulation is rife with market manipulation, profiteering, and unreliable service, with rolling blackouts and brownouts, bankrupting businesses and residential consumers alike. And now the Bush administration thinks that is so spiffy that everybody in America should be subject to that.

That is definitely one part of their plan that has to go when this Congress acts on the so-called national energy policy.

#### TRIBUTE TO JUDGE FIDENCIO M. GUERRA, SR.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HINOJOSA) is recognized for 5 minutes.

Mr. HINOJOSA. Mr. Speaker, I rise today in our Nation's capital to render a salute to State District Judge Fidencio M. Guerra, Sr., of McAllen, Texas, on behalf of the citizens of the Fifteenth Congressional District of Texas and in honor of his outstanding service and dedication to the Judiciary in the State of Texas.

Judge Guerra was born on a small ranch in Jim Hogg County, Texas, on

August the 6th, 1909. Like my father, he grew up in a time where few, if any, Hispanics held leadership positions in the community or the government. He graduated from McAllen High School and went on to the University of Texas where he completed his law degree in 1940. The following year he married Estela Margo, a high school teacher.

During World War II, he was quick to volunteer to serve his country and was assigned to the State Department's legal office. In this capacity, he was sent by special assignment to the U.S. embassy in Bogota, Colombia, and the U.S. Embassy in Madrid, Spain, where he helped negotiate several international cases, including the disposition of Axis war assets in Colombia and assisting the Spanish government in dealing with war refugees.

After the war, he returned to McAllen, Texas, and continued his practice of law. In 1949, Judge Guerra was appointed Assistant Attorney General for the State of Texas where he was instrumental in presenting the State's case against the U.S. government over offshore mineral rights claims. The case ultimately reached the Supreme Court. As one of the first Hispanics to serve in the Texas State Judiciary, he was a role model to my generation and showed us that we too could succeed and hold public office.

During the 1950s, Judge Guerra and his wife Estela became leader in protecting and expanding educational opportunities for Hispanic students. Estela, who passed away in 1999, was a Spanish language teacher at Edinburg High School and also at McAllen High School for 20 years before her retirement in 1977. She received numerous awards for her dedicated service to the children of south Texas, including the American Association of Spanish and Portuguese Servantes Award.

In 1952, Judge Guerra was appointed as the presiding judge of the newly created 139th District Court at the new Hidalgo County Courthouse in Edinburg, Texas. He was successful in his bid to retain his post in the 1956 election, and until his retirement in 1980 ran unopposed in every single election. Even retirement did not slow down Judge Guerra. He continued to serve as a senior visiting judge until the early 1990s.

Judge Guerra has always been willing to answer the call to service both from his government and his community. He remains active in various community organizations, such as Our Lady of Sorrows Catholic Church, the Knights of Columbus, and the McAllen Rotary Club.

Judge Guerra and Estela raised seven children and taught them the value of staying in school and completing their education. Their children have followed their example and are professionals and community leaders. Diane Maria was a teacher; Robert is a retired teacher; Carlos is an attorney;

Fidencio, Jr. is an attorney and former State district judge; Brenda is a teacher; Judy is a special education teacher; and Daniel is a doctor. They continue Judge Guerra's legacy by teaching today's children that anything is possible if you work hard, you have integrity and follow your dreams.

In conclusion, Judge Guerra's dedicated commitment to the Hispanic community in the State of Texas is an inspiration and challenge for us all. At age 91, he remains active in the community of McAllen. He truly exemplifies the values to which we all should aspire. Texas is a better place because of his many contributions. And as his Congressman, I wish him continued good health and good fortune. Thank you, Judge Guerra, Sr.

#### ENERGY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, before I begin the speech I had planned, I would like to comment on some of the comments made by other speakers.

I want to add my voice to the gentleman from Michigan (Mr. BONIOR) when he spoke about how Federal employees, particularly those at the IRS, are doing the work of this country and doing it in a professional manner. He quoted from a rather vicious attack that proposes that somehow if we have a flat tax, that all problems of tax administration will be solved and the IRS could be dismantled.

Mr. Speaker, I headed the organization that collects the largest flat tax in America, the California sales tax, and let me assure my colleagues that flat taxes involve some of the same contentiousness, some of the same enforcement concerns as does any other tax or a progressive tax. And the IRS employees were professional and responsible, just as were our auditors, just as were our tax collectors with the California State Board of Equalization.

Let me also comment about the speech of my friend, the gentleman from Oregon (Mr. DEFazio), where he said that one company, Reliant, that made \$500 million, increased its profit by 2,000 percent. The gentleman from Oregon said, well, they did not do anything creative to raise that money. I have to disagree. Reliant, along with some of its sister corporations, invented a new definition for the term "the plant is closed for maintenance." "Closed for maintenance" means closed to maintain an outrageous price for each kilowatt. A new definition and true creativity.

They invented new ways to gouge California consumers, and they invented new ways to seek power here in Washington so that they would have the impunity to turn off the power in

California. It is this inventiveness that led to Reliant's 2,000 percent increase in its profit.

Mr. Speaker, last night, several Members from the other side of the aisle came down to this floor to attack me personally, and that needs no response, and to attack my State. They came down here to say that the problems California faces are our own fault; that we prevented the building of electric plants in California, which is totally false and which has not one scintilla of evidence behind it.

They talked about how our opposition to offshore oil drilling is somehow responsible for electrical shortages in California without even knowing that we do not use oil to generate electricity in California, nor are we about to, nor do any of the other States with similar air pollution problems. They came down here in total ignorance of what is happening in California.

Now, I do not blame them for their ignorance. After all, I am not terribly knowledgeable of what is happening in all the other States. But what bothers me is that someone with so little knowledge of what is happening in California would come down here and say that our misery represents justice and that our efforts to solve our own problems should be barred by Federal law.

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But of course that is what is happening when Federal law prevents California from imposing even the most reasonable of regulations on the price of these independent energy producers.

Mr. Speaker, imagine that your home is burning down. The gentleman might have a neighbor who for one reason or another does not help. That might be okay. But imagine the most malevolent of neighbors who seizes the hose while the house is burning, and then gives a lecture how it is the gentleman's fault because the house is on fire, while continuing to hold onto the hose.

Mr. Speaker, California is burning and the hose is the right to regulate the price of electric generation, and the hose is being held captive here in Washington, DC. We have an administration which is hosing us down with self-righteous declarations that our misery is our own fault.

Mr. Speaker, if you want to know where something is made, check the tag on the bottom. California consumers are going to look at their electric bill, they will look at the tag, and it will say "Made in Texas under license from Washington, DC."

#### NATIONAL ENERGY POLICY

The SPEAKER pro tempore (Mr. GRUCCI). Under the Speaker's announced policy of January 3, 2001, the gentleman from Wisconsin (Mr. KIND)

is recognized for 60 minutes as the designee of the minority leader.

Mr. KIND. Mr. Speaker, some of my colleagues who will be joining us this evening will continue our discussion that we had last week in regards to our national energy policy.

Mr. Speaker, most of the Nation and the world realizes that the Bush administration has come out with a detailed plan that they announced last week. The Members of the new Democratic Coalition in the House have an energy plan that we announced last week, announcing principles, values, and policy statements that we want to work on as we move forward in this session of Congress to try to find some long-term solutions to our 21st century energy challenges. We do face challenges as we start this new century; and hopefully we will find some solutions to these challenges.

That is why we in the Democratic Coalition believe that the best approach is one that calls for balance. We are not going to turn our short-term energy needs and dependence on fossil fuel and the burning of fossil fuels, turn that around overnight, but any sensible and reasonable long-term energy policy, and hopefully we will enact in legislation later this year, is going to be looking at the development and use of modern technology, the use and greater reliance on alternative and renewable energy sources, the importance of investing in the current energy infrastructure that we have in this country which has become very outdated, and trying to figure out how we can move energy more efficiently and cost effectively in areas of surplus to areas of deficits.

Mr. Speaker, these are some of the areas that we hope to elevate in the national debate and engage the American people on. I also want to take exception to a couple of proposals that the Bush administration announced last week. They said all of the right words, and there is a lot of good statements in the energy plan that they sent up to the Hill in book form, National Energy Policy.

A couple of concerns that I personally have is that they are relying a tremendous amount in their energy solution on the development of more exploration and more drilling in one of the last pristine places in the United States, the Arctic National Wildlife Refuge, ANWR.

I am ranking member on the Subcommittee on Energy and Mineral Resources in the Committee on Resources here in Congress. We have had eight hearings already on energy resources on public lands. Many Members in this Chamber would be surprised to learn that roughly 95 percent of our public lands are already open and available for energy exploration. In fact, we had one of the largest expansions of public land access over the last 8 years in the Clinton administration.

Instead of trying to develop those resources that are already available and that the infrastructure needs to be developed in order to extract, the new administration wants more, more drilling and more drilling in one of the most protected and pristine places in the United States, the ANWR.

In the energy plan, the administration also says the right things in regard to the need to develop alternative renewable energy sources. When you look at the details of the energy proposal, that investment would only occur after oil is drilled and extracted from the Arctic National Wildlife Refuge. In fact, it is from the oil royalties collected from the drilling of oil in ANWR that would then be used, at least partially, in order to fund the alternative and renewable energy research and development that needs to take place in this country. I find that a little disheartening.

Mr. Speaker, Republicans are trying to convince the American people that we are for this, too; but only after we have more reliance on the fossil fuel development, more reliance on the drilling of oil up in the Arctic National Wildlife Refuge, rather than treating it as a stand-alone part of the puzzle that it deserves to be.

In fact, if you were to match the administration's record on their energy proposal with the priority that they established in the budget that they submitted to the Congress earlier this year, the rhetoric, quite frankly, does not match the action. In fact, when one looks at the energy efficiency program at the Department of Energy, the new administration is proposing a \$20 million cutback from the previous year's level.

On the R&D programs at the DOE, there is roughly \$41 million or a 23 percent cutback on the R&D programs at the DOE. These R&D cuts include a \$48 million cut in buildings, research and standards programs; a \$12 million cut in the Federal energy management programs; a \$61 million cut in the industry programs; a \$16 million cut in transportation programs; over \$3 million in policy and management of alternative and renewables.

When you look at the energy program that exists, the administration is calling for roughly a 36 to 50 percent cut across the board in most of these programs: 48 percent less with the wind-power program; 48 percent less with the geothermal power program; 48 percent less in the development of hydrogen energy sources; 86 percent less for concentrating solar power.

Obviously there is a mismatch between the rhetoric and the administration's energy plan and what they submitted in the course of their budget proposal this year in Congress. We are hoping to work with them.

Mr. Speaker, energy should not be a partisan issue. We need to find a bipartisan solution to an issue that affects